

# EXHIBIT

“A”

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X  
NAANA DANSO-APPIAH

Plaintiff(s),

-against-

BURLINGTON COAT FACTORY OF TEXAS, INC.

Defendant(s).  
-----X

To the above named Defendant(s):

Plaintiff(s) designate(s)  
BRONX COUNTY  
As the place of trial

The basis of the venue is:  
Plaintiff's residence

*SUMMONS*

Plaintiff(s) reside(s) at  
120 Alcott Place, Apt 7G  
Bronx, New York 10475

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within (20) days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Farmingdale, NY  
October 19, 2021

Yours, etc.

ROSNER RUSSO SHAHABIAN PLLC

*Attorneys for Plaintiff(s)*

*Office & Post Office Address:*

398 Conklin Street

Farmingdale, NY 11735

516-376-0000

File #: 2100104

**FILED: BRONX COUNTY CLERK 10/19/2021 04:28 PM**

INDEX NO. 814213/2021E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 10/19/2021

Defendant(s) address:  
BURLINGTON COAT FACTORY OF TEXAS, INC.  
350 BAYCHESTER AVENUE  
BRONX, NY 10475

NOTICE: The nature of action is NEGLIGENCE. The relief sought is damages. Upon your failure to appear, judgment will be taken against you by default for the sum of \$5,000,000.00 with interest from 05/29/2021 and the costs of this action.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X VERIFIED COMPLAINT  
NAANA DANSO-APPIAH

Plaintiff(s),

-against-

BURLINGTON COAT FACTORY OF TEXAS, INC.

Defendant(s).

-----X  
Plaintiff(s), by their attorneys, ROSNER RUSSO SHAHABIAN PLLC, complaining of  
the defendant(s), allege:

1. Upon information and belief, at all times hereinafter mentioned, Burlington Coat Factory Of Texas, Inc. was and still is a corporation duly existing under and by virtue of the laws of the State of New York.
2. That this action falls within one or more of the exceptions as set forth in CPLR §1602 §1602(1), §1602(2), §1602(3), §1602(4), §1602(5), §1602(6), §1602(7), §1602(8), §1602(9), §1602(10), §1602(11), §1602(12) and §1603 of the State of New York.

**AS AND FOR A CAUSE OF ACTION AGAINST DEFENDANT**

**BURLINGTON COAT FACTORY OF TEXAS, INC.**

3. That on 05/29/2021, Burlington Coat Factory Of Texas, Inc., was the owner of the premises known as, Burlington Coat Factory[hereinafter "premises"].
4. That on 05/29/2021, Burlington Coat Factory Of Texas, Inc., was a tenant of the subject premises.
5. That on 05/29/2021, Burlington Coat Factory Of Texas, Inc., leased the premises to/from a different entity.
6. That on and before 05/29/2021, Burlington Coat Factory Of Texas, Inc., managed the premises.

7. That on and before 05/29/2021, Burlington Coat Factory Of Texas, Inc., operated the premises.
8. That on and before 05/29/2021, Burlington Coat Factory Of Texas, Inc., maintained the premises.
9. That on and before 05/29/2021, Burlington Coat Factory Of Texas, Inc., inspected the premises.
10. That on and before 05/29/2021, Burlington Coat Factory Of Texas, Inc., designed the premises.
11. That on and before 05/29/2021, Burlington Coat Factory Of Texas, Inc., supervised the premises.
12. That on and before 05/29/2021, Burlington Coat Factory Of Texas, Inc., controlled the premises.
13. On or about 05/29/2021, while plaintiff, Naana Danso, was at the premises located at 350 Baychester Avenue, Bronx, New York 10475, said plaintiff was caused to fall as the result of a defective condition. Said incident resulted in plaintiff, Naana Danso, sustaining severe and permanent personal injuries.
14. That Burlington Coat Factory Of Texas, Inc., their agents, servants and/or employees negligently, carelessly, jointly and severally failed to provide a safe place for plaintiff and other pedestrians to enter and/or exist the premises at said location; in failing to properly, install, repair, maintain and inspect the premises at the aforementioned location; in causing and allowing the said premises area to become and remain in a defective, broken, condition; in failing to post warnings signs at aforesaid location which was in an unsafe, dangerous and hazardous condition and in general state of disrepair; in failing to reasonably anticipate that plaintiff could sustain physical injuries by reason of defendant's unsafe, dangerous and hazardous condition; in failing to warn plaintiff of the dangerous and hazardous condition that existed; in failing to place any barricades; failing

to maintain the premises area in a reasonably safe condition; causing and/or allowing the said premises area to be and remain in an unlevel, pitted, cracked and otherwise dangerous condition; actually creating a dangerous, defective and hazardous condition; failing to place barricades, warnings and/or signs in the subject premises area, in creating the defective condition through their special use of the subject premises area; in contributing to the creation of the defective condition through their special use of the subject premises area; in failing to maintain the subject premises area notwithstanding their benefit derived from their special use of same; in failing to repair and/or remedy said defective condition notwithstanding prior written notice of same; in failing to repair and/or remedy said defective condition notwithstanding constructive and/or actual notice of same; and in otherwise being careless, reckless and negligent.

15. That said accident and the injuries to resulting therefrom, were caused solely by the negligence of the Burlington Coat Factory Of Texas, Inc.. and without any negligence on the part of this plaintiff contributing thereto.
16. That by reason of the negligence and carelessness of Burlington Coat Factory Of Texas, Inc., plaintiff, Naana Danso, became sick, sore, lame and disabled, suffered severe pain and received medical, hospital and nursing services and said plaintiff was otherwise injured all to her damage in a sum that exceeds the jurisdictional.
17. That by reason of the foregoing, plaintiff, became sick, sore, lame and disabled, suffered severe pain and received medical, hospital and nursing services and said plaintiff was otherwise injured all to her damage in an amount exceeding the Jurisdictional Limits of all lower courts.
18. That defendant had both actual and constructive notice of the said defective and dangerous conditions, and actually created same.

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 10/19/2021

W H E R E F O R E, Plaintiff, Naana Danso, demand judgment against Burlington Coat Factory  
Of Texas, Inc., in an amount exceeding the Jurisdictional Limits of all lower courts and for the  
costs and disbursements of this action.

Dated: Farmingdale, NY  
October 19, 2021

Yours, etc.



ROSNER RUSSO SHAHABIAN PLLC  
*Attorneys for Plaintiff(s)*  
*Office & Post Office Address:*  
398 Conklin Street  
Farmingdale, NY 11735  
516-376-0000  
File #: 2100104


VERIFICATION

I, David M. Yaron, Esq., the undersigned, am an attorney admitted to practice in the Courts of New York State, and say that:

I am a member of ROSNER RUSSO SHAHABIAN PLLC attorneys of record for Plaintiff(s) Naana Danso, has read the annexed plaintiffs' SUMMONS AND VERIFIED COMPLAINT, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following:

Books, papers, records in possession.

I affirm that the following statements are true under penalties of perjury.

  
\_\_\_\_\_  
David M. Yaron, Esq.

Dated: Farmingdale, NY  
October 19, 2021



**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX**

-----X  
NAANA DANSO-APPIAH

Plaintiff(s),

-against-

BURLINGTON COAT FACTORY OF TEXAS, INC.

Defendant(s).  
-----X

**NOTICE OF ELECTRONIC  
FILING  
(Mandatory Case)  
(Uniform Rule § 202.5-bb)**

**You have received this Notice because:**

- 1) The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts E-filing system ("NYSCEF"), and
- 2) You are a Defendant/Respondent (a party) in this case.

• **If you are represented by an attorney:**

Give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

• **If you are not represented by an attorney:**

**You will be served with all documents in paper and you must serve and file your documents in paper, unless you choose to participate in e-filing.**

**If you choose to participate in e-filing, you must have access to a computer and a scanner or other device to convert documents into electronic format, a connection to the internet, and an e-mail address to receive service of documents.**

**The benefits of participating in e-filing include:**

- serving and filing your documents electronically
- free access to view and print your e-filed documents
- limiting your number of trips to the courthouse
- paying any court fees on-line (credit card needed)

**To register for e-filing or for more information about how e-filing works:**

**FILED: BRONX COUNTY CLERK 10/19/2021 04:28 PM**

INDEX NO. 814213/2021E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 10/19/2021

• visit: [www.nycourts.gov/efile-unrepresented](http://www.nycourts.gov/efile-unrepresented) or  
contact the Clerk's Office or Help Center at the court where the case was filed. Court contact  
information can be found at [www.nycourts.gov](http://www.nycourts.gov)

To find legal information to help you represent yourself visit [www.nycourthelp.gov](http://www.nycourthelp.gov)

**Information for Attorneys  
(E-filing is Mandatory for  
Attorneys)**

An attorney representing a party who is served with this notice must either:

1. immediately record his or her representation within the e-filed matter on the NYSCEF site [www.nycourts.gov/efile](http://www.nycourts.gov/efile) ; or
2. file the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at [www.nycourts.gov/efile](http://www.nycourts.gov/efile) or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: [efile@nycourts.gov](mailto:efile@nycourts.gov)).

Dated: Farmingdale, NY  
October 19, 2021

Yours, etc.



**ROSNER RUSSO SHAHABIAN PLLC**

*Attorneys for Plaintiff(s)*

398 Conklin Street

Farmingdale, NY 11735

516-376-0000

File #: 2100104

TO:  
**BURLINGTON COAT FACTORY OF TEXAS, INC.**  
**350 BAYCHESTER AVENUE**  
**BRONX, NY 10475**